UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1995/SR.5
10 August 1995

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND
PROTECTION OF MINORITIES

Forty-seventh session

SUMMARY RECORD OF THE 5th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 3 August 1995, at 10 a.m.

Chairman: Mr. MAXIM

CONTENTS

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII) (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Sub-Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.95-13218 (E)

The meeting was called to order at 10.10 a.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII) (agenda item 6) (continued) (E/CN.4/Sub.2/1995/8 and 41; E/CN.4/Sub.2/1995/NGO/3, 11 and 15; E/CN.4/1995/55)

1. Mr. SAFFARI (International Association of Democratic Lawyers) said that it was evident to all that despite the Government's statement that it executed only drug smugglers, political prisoners in the Islamic Republic of Iran were being sent in front of firing squads. Moreover, in April 1995, a demonstration of 50,000 residents protesting against living conditions in Tehran had been violently quelled, with at least 50 persons killed, hundreds wounded and over 600 arrested and subjected to torture during interrogations by the Intelligence Ministry. Other similar demonstrations had taken place in the past year, in Tabriz, in Tehran and in Babol, in which scores had been killed and hundreds wounded. In October 1994, a law had been adopted to permit security forces to shoot demonstrators at will; the European Parliament had subsequently condemned the law and expressed its horror at the use of terrorism as a method of government.

2. In the past 15 years, the Iranian regime had committed over 100 terrorist attacks on Iranian nationals in 18 countries, and in May 1995, for the first time two women dissidents had been targeted for assassination. Furthermore, the New York Times had reported a plot by diplomates in the Iranian Embassy in Bonn to disrupt a huge protest rally of Iranian expatriate dissidents held in Dortmund, Germany in June 1995, perhaps with the intention of assassinating a leading opposition leader who was to address the demonstration. Iranian nationals abroad were not the only target of the clerics' murderous intentions: the fatwa against Salman Rushdie had as recently as July been reconfirmed as irreversible by President Rafsanjani.

3. Repression against women had been the most heinous form of human rights abuses. The vast majority of the 1.3 million Iranians officially acknowledged by the clerics as having been assaulted by their forces in the streets in the past year alone had been women; their lips had been slashed with blades, their foreheads pierced with thumbtacks and acid had been thrown in their faces.

4. Over the past 15 years, various United Nations bodies had in 34 different resolutions condemned the Islamic Republic of Iran for its human rights abuses. The Sub-Commission must, of course, adopt the thirty-fifth resolution. Surely, however, the time had come for the Security Council to consider an arms and oil boycott against the most brutal dictatorship in contemporary history.

5. Ms. KAISIÈPO (Survival International) drew attention to the deteriorating human rights situation in the Indonesian province of Irian Jaya, or West Papua. There had been disquieting reports in the past 14 months of atrocities against the Amungme, Dari, Komoro and Ekari people living in the vicinity of the huge Freeport Indonesia Inc. copper mine. Since 1967, the company had been extracting enormous amounts of natural resources from the

island, with no concern for the effects of the environment or on the survival of the indigenous people in the vicinity. In the last half of 1994, local people had protested the extension by 2.6 million ha. of the mine's concession area by staging uprisings and peaceful demonstrations; the brutal reaction by the Indonesian army and Freeport security personnel had resulted in 32 deaths and hundreds of injuries. A detailed report based on eyewitness accounts of the events released by the Australian Council for Overseas Aid and other sources of information would be submitted to the Sub-Commission. There were also eyewitness accounts of the unprovoked murders of the two Komoro and Ekari men in separate incidents in the area by soldiers of the Pattimura 733 battalion, in April 1995.

6. Journalists and human rights investigators were barred from making independent inquiries in the area because Freeport Indonesia Inc. was anxious to conceal the extent of the environmental and social damage it had wrought. Since many of the local people were illiterate or had no means of communication with the outside world, it was virtually impossible to collect evidence.

7. The Amungme people, among others living in the vicinity of the mine, had been trying to no avail to institute a dialogue regarding compensation for the loss of their lands. The people wanted a legal solution and were seeking ways of using all international instruments to obtain their rights.

8. As long as the international community allowed Indonesia to conceal its human rights violations in West Papua, the general pattern of gross human rights violations in the country would continue. As long as the Government used its modern army to isolate West Papua and other islands under its rule, not only would the human rights of the indigenous peoples be trampled, but all peaceful processes for democracy, peace and stability in the Asia-Pacific region would be blocked.

9. Survival International endorsed the widespread opinion among West Papuans that the United Nations, having handed over West Papua to Indonesia, should assume responsibility for ensuring full respect for the human rights of the West Papuans.

10. Ms. KELLER (International League for Human Rights) said that her organization was gravely concerned about ongoing, widespread and systematic human rights violations taking place in the People's Republic of China. China was currently undergoing a process of rapid economic change that had resulted in an increase in some individual freedoms and an improvement in the living standards of many people. However, due to the lack of an independent judiciary and other institutionalized protections of individual rights, abuses by officials at all levels of power remained widespread and unchecked. Common types of abuses of human rights in China included restrictions on freedom of expression and association, arbitrary detention, and the torture and ill-treatment of prisoners. Moreover, the Government's refusal to recognize the protection of human rights as a responsibility of a United Nations Member State had resulted in a lack of any genuine effort to improve its human rights record. Over the past year, human rights conditions had continued to deteriorate, culminating in the recent arrest of the American-Chinese human rights activist, Harry Wu.

11. The Government detained individuals for exercising their rights to freedom of association, freedom of religion and freedom of expression. Although the Chinese Constitution guaranteed freedom of association and assembly, national regulations severely limited association and gave the authorities absolute discretion in denying applications for public gatherings or demonstrations. Recent regulations implementing the 1993 State Security Act threatened the remaining channels available to activists by criminalizing vital activities and giving State security officials virtually unlimited power to detain individuals, confiscate property and determine what constituted a "hostile" organization.

12. Although the Constitution also guaranteed freedom of expression and of the press, the Government in practice employed a wide range of controls that violated those freedoms. Dissidents who made their opinions known to the foreign media were often subject to threats, detention, harassment, intensive surveillance or imprisonment. During 1994 alone, at least 20 Chinese writers, journalists, editors and publishers had been persecuted in connection with their work.

13. Torture of detainees was endemic in Chinese detention centres and prisons. Even though China had become a party to the United Nations Convention against Torture in 1988, the Government had not taken effective measures to diminish the risk of prisoners being tortured or ill-treated. In many detention centres, beatings, inadequate food and poor hygiene appeared to be a routine part of the process of eliciting confessions and compliance from detainees, whether ordinary or political prisoners. Despite the continuing efforts by the United Nations Special Rapporteur on Torture, the International Committee of the Red Cross and other humanitarian organizations, Chinese officials had not agreed to allow open and unannounced visits to prisoners.

14. Fair, impartial trials were rare, due to the lack of legal safeguards, and the extensive control over trial outcome exercised by political-legal committees. In addition to judicial convictions, the Chinese authorities consistently used administrative procedures to detain hundreds of thousands of Chinese and Tibetans each year, targeting human rights activists in particular. The authorities also used petty infringements of laws or regulations that would not normally merit imprisonment in order to send dissidents to labour camps. China had infrequently released political prisoners of conscience before the completion of their sentences, predominantly in response to international pressure. However, those released had been forced into exile, subjected to continuing police surveillance and harassment or detained again for alleged violations of the restrictive parole conditions or for new "crimes" of free expression. Although any releases of political prisoners were of course welcome, such releases had been laden with conditions and represented a mere fraction of the total number of political prisoners in China.

15. Since the previous Sub-Commission meeting, the Chinese Government had shown no willingness to change the conditions that contributed to the systematic violation of human rights. Dissidents were only the most visible victims of abuses, and their concerns about the lack of institutional and

legal safeguards for human rights reflected problems that could affect any Chinese citizen, in any place, at any time, for any reason, or for no reason at all.

16. The International League for Human Rights urged the Sub-Commission to pass a resolution addressing the human rights violations in China. The resolution should contain the following three recommendations to the Chinese Government: first, China should sign and ratify without reservation the two International Human Rights Covenants; secondly, China should allow the International Committee of the Red Cross unlimited access to prisons, labour camps and detention facilities; and thirdly, China should give internationcal observers nominated by the United Nations High Commissioner for Human Rights access to political trials.

17. Mrs. FORERO UCROS said that the panorama of human rights the world over was a matter of concern. The most acute crisis was in Bosnia and Herzegovina, and the failure to find a solution there was a sign of the international community's impotence, a matter that demanded searching analysis. In Rwanda and Burundi as well, there was no great hope at the moment of lasting peace and harmonious coexistence.

18. In the general picture, human rights violations were endemic, especially in developing countries. Among the persons most seriously affected were those who migrated from developing to developed countries, by necessity as refugees or by desire as immigrants, whether legal or illegal. Those inflows had created tensions in so-called multicultural societies; countries which had promulgated generous post-Second World War asylum or immigration policies were now clamping down and imposing restrictions, because immigrants introduced a diversity that was not always welcome. The multicultural component could indeed be positive - but it could also be destructive if immigrants were marginalized, denied access to work, forced to live on welfare and changed into a sub-class living in poverty and permanent segregation handed down from generation to generation. Rather than barring immigrants by law from becoming active members of society, Governments must aim at their integration and must end their human rights victimization.

19. The phenomenon of segregation of immigrants went hand in hand with anti-immigrant movements that channelled a dangerous xenophobia among vulnerable groups in society, who saw in foreign immigrants the cause of problems, like rising unemployment, that were due to economic recession. In response, States were pushed into repressive policies, and frontiers were closed. That in turn prompted illegal organizations to exploit the needs of millions who crossed borders in search of a better life, thus fostering a barbarous and illegal human traffic.

20. At the end of the twentieth century, any discussion of the agenda item under consideration must take into account the discrimination and ostracism experienced daily by immigrants the world over, whose plight had become a matter of global alarm. Immigrants, especially illegal ones, were unprotected by definition. But a body like the Sub-Commission, which existed to defend minorities, must specifically consider their rights. On its fiftieth anniversary, the United Nations must adopt as its course of action the building of a culture of integration. It must accordingly draw the attention

of States to the equal rights of immigrants in multicultural societies. States must be urged to review their immigration policies in the light of human rights standards so as to give immigrants equal access to employment, education, health and housing. Governments must be made to realize that a multi-ethnic society must be truly multicultural, drawing on the richness of diversity and making full use of that human potential to achieve harmonious coexistence.

21. Another factor that must be considered was the extent of a Government's cooperation with the United Nations human rights bodies. The greater the political will to cooperate, the greater the chances for full enjoyment of human rights. It was not desirable in democratic societies to impose cooperation with the United Nations. In her own country, Colombia, there was active, explicit and effective cooperation, through the practical steps being taken by a recently established commission; and government institutions were collaborating with non-governmental organizations in developing a policy of collaboration with the United Nations. Such an attitude had to be taken into account in making an objective analysis of the human rights situation in a country.

22. Mr. UL-HAKIM said that the central focus in the Charter of the United Nations was on the protection of the individual and on human rights. Yet 50 years after its adoption, appalling situations of ethnic strife like those in Bosnia and Herzegovina, Rwanda and Chechnya had suddenly occurred, once the unipolar world had come into being. They might be more easily controlled if the International Criminal Tribunal set up to identify the guilty in Bosnia and Rwanda could move quickly to hold one or two well-publicised trials showing that the United Nations was serious. Basically, however, the genocide in the Balkans continued because the major Powers were afraid of igniting a new world war. Recently, for instance, in response to terrorism against its United Nations peacekeepers, France had indicated it would withdraw them, and the United States had also argued against the international use of force.

23. In its draft resolution under item 6, the Sub-Commission should send the message that the principles enshrined in the Charter must be defended and human progress safeguarded, and that the international community must not fear to ensure justice for innocent victims.

24. Mr. KHAN recalled that agenda item 6 was at the core of the Sub-Commission's mandate and was of particular significance in the year which marked the fiftieth anniversary of the United Nations. It was clear that over the past 50 years the United Nations had evolved from a body primarily concerned with issues of international politics to one playing a crucial role in environmental and development matters, and human rights, reflecting the will of the international community, had become the top priority. The Charter of the United Nations proclaimed a belief in fundamental human rights, in the dignity and worth of the human person and in equal rights for men and women of all nations. Within the United Nations system, the Sub-Commission acted as a think-tank for the Commission on Human Rights and many of the ideas now enshrined in United Nations declarations had originated from it. It had also played an important role in monitoring the implementation of human rights instruments.

25. Nevertheless, although international awareness of human rights had grown, violations of those rights continued. The many resolutions adopted by the United Nations appeared to have had only a limited impact, which suggested a lack of political will on the part of member States.

26. Massive violations of human rights had been seen recently in Rwanda, Burundi and Bosnia and Herzegovina. United Nations peace-keeping forces had been present in Rwanda as massacres were taking place, instead of preventing the massacre, the Security Council had decided to withdraw the force, showing more concern for the safety of the peacekeepers than for the safety of the population. Subsequent action taken by the United Nations to strengthen its presence in the country had not made up for its failure to act decisively at a critical time.

27. In Burundi, the situation was still fragile. Ethic antagonisms had upset the social and political balance in the region and imperilled the lives of millions of people. The important lesson to be drawn from both Rwanda and Burundi was that democratic pluralism, rather than ethnic identity in the narrow sense, was the best safeguard for human rights for individuals and communities. Separate ethnic, cultural or linguistic identities could be and needed to be protected within a system that recognized and accommodated those differences, rather than promoting fragmentation of a society which inevitably jeopardized human rights and international peace and security.

28. The case of Bosnia and Herzegovina, on the other hand, was different in the sense that human rights violations had continued in that country over a long period despite the presence of United Nations forces. The effect of the 30 resolutions on Bosnia and Herzegovina adopted thus far by the Security Council had been negligible and the international community had done nothing to prevent the fall of Zepa and Srebrenica. The time had come for effective peace-enforcement action under United Nations command and control. The Charter provided for machinery to give effect to enforcement action by the United Nations. Article 47 of the Charter stated that a Military Staff Committee should be established to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security. The Military Staff Committee seemed not to be in evidence in Bosnia and Herzegovina.

29. It was imperative to restore confidence in the United Nations as an instrument of peace. The first step towards that goal would be to set up an investigation into the atrocities committed against the civilian population and others in the region. Persons found responsible for the atrocities should then be charged with crimes against humanity and put on trial.

30. In that context, it was now high time to establish an international criminal court to ensure that the guilty did not go unpunished. Such a court would need to be endowed with compulsory jurisdiction and its judgements should be made enforceable through Security Council resolutions.

31. The half-hearted action taken in Bosnia and Herzegovina would need to be reinforced by more resolute action on the part of the Western Powers. The United Nations forces in the area would need to be placed under the full command of the Security Council's Military Staff Committee, and would answer

directly to the Security Council. Failure of any force to establish peace reflected failure by its command, and there was no reason why action should not be taken against commanders who had ignored the suffering of the people in Bosnia and Herzegovina.

32. Mr. BOUTKEVITCH noted that the area covered by agenda item 6 was wide-ranging and multi-faceted and overlapped with other items such as item 5. Rather than talking in specific terms about particular violations or measures to combat crimes such as racism and racial discrimination, he wanted to focus on the question why such crimes were still possible, paying particular attention to the nature of the legal area in which violations occurred and to the features of the existing machinery for protecting human rights which failed to prevent them.

33. There was no doubt that the issues covered by agenda item 6 were the priority area in the Sub-Commission's mandate and it was understandable that the Sub-Commission should have started its discussions with that item. But they also required a delicate approach, detailed analysis and unambiguous recommendations. Although the Sub-Commission discussed the agenda item 6 every year, new tragedies continued to occur and were tending to become regional, rather than purely local, in scale. It was to be hoped that they would not, as seemed possible in some cases, become universal. If that were to be prevented, the United Nations and its institutions including the Sub-Commission needed to redouble their efforts to combat human rights violations. The Sub-Commission had certainly shown its worth in the struggle against racial discrimination and apartheid and other violations of human rights. The mere fact that a particular situation had been highlighted in its deliberations had on occasions produced positive results, South Africa being the most noteworthy example. However, the list of human rights violators had not shortened, the only real difference in 1995 being that the situation in the former Yugoslavia had now overtaken Rwanda as a priority. One possible reason was the constant improvement in the Sub-Commission's analysis of the information it received and the growth in the amount of information available. Non-governmental organizations in particular had become more efficient at uncovering crimes which once would have gone unreported. Secondly, there was no efficient machinery for taking action against human rights violators once they had been identified. Those responsible felt that they had nothing to fear, and the apparent unfairness in the way attention was focused on one State rather than another tended to breed a dangerous cynicism. Thirdly, many of the international instruments relating to the area of human rights violations dated back to the foundation of the United Nations and did not cover or even envisage the sort of crimes which were being perpetrated today. There was therefore an urgent need for new optional protocols and new human rights standards. Fourthly, double standards were still applied when considering human rights violations. The countries most often accused of such crimes were developing countries in Asia, Africa or Latin America, as though they were the only sources of such evils as racism, segregation and apartheid. In reality, it was simply that weaker nations were more vulnerable to criticism. Fifthly, existing procedures within the United Nations system for discussing and responding to human rights violations were cumbersome and bureaucratic. As matters stood, years would elapse between the Sub-Commission's initial discussion of a particular situation and the adoption of a declaration, while a convention had to pass through an even more

labyrinthine system before finally being adopted. In the meantime, human rights violations, perpetrated by people who were not subject to such bureaucratic constraints, continued unchecked.

34. The sixth factor which made the United Nations ineffectual in its efforts to combat human rights violations was the quality of work done within the various United Nations bodies. Part of the problem was a growing tendency for States parties not to submit their periodic reports due under the terms of conventions because the work involved was too onerous. As a result, little attention was paid to many of the reports produced by United Nations bodies because they contained little original information and no specific recommendations, and any recommendations by United Nations bodies tended increasingly to be treated with contempt by human rights violators. Failure by the Sub-Commission to improve the quality of its own work had meant that the issues grouped under agenda item 6, which should have been settled long ago, had instead become the top priority.

35. The independent experts would have preferred to spend more time hearing accounts from people with first-hand knowledge of violations, rather than devoting so much time to speaking themselves. Too little time was now available for the many speakers who wished to report on human rights abuses, and the restricted time available to them would affect the quality and value of their statements. That in turn would make the independent experts' task more difficult and might lead to a situation where the Sub-Commission's resolutions all sounded the same despite the real differences in the various human violations considered.

36. What might the Sub-Commission do to overcome all those problems? Firstly, it needed to examine the existing international instruments and consider whether they addressed today's realities or to call on the bodies responsible for monitoring the application of particular instruments to do so, with a view to formulating new optional protocols to existing instruments or new substantive agreements.

37. One example was the International Convention on the Suppression and Punishment of the Crime of Apartheid, which in article II defined the crime of apartheid in terms of policies practised in the southern part of Africa. The reference seemed obsolete in the light of the current transition to democracy which had been acknowledged in item 5 (b) of the Sub-Commission's agenda and might appear to detract from the efforts being made by the authorities in that country to create a democratic society. Similarly, the International Convention Against Apartheid in Sports referred specifically to southern Africa. In more general terms, the Sub-Commission might usefully consider positive ways of rewarding States which had been most successful in defending human rights, by analogy with, for example, the Nobel peace prize awarded to individuals.

38. He wished it to be clearly understood that he was not calling for fundamental revisions of the international legal instruments, which might be more in the interests of those who practised discriminatory policies and would probably weaken international law. Instead, he was proposing that the instruments in question should be updated and necessary amendments and additions made to reflect current circumstances. For example, the

United Nations Declaration on the Elimination of All Forms of Racial Discrimination needed to include provisions relating to the practice of ethnic cleansing.

39. Secondly, the mechanisms available for the implementation of conventions and for monitoring that implementation needed to be overhauled and improved. In doing so, the Sub-Commission needed to ensure that time was devoted to the discussion of the particular problem in question before any attempt was made to discuss ways of combating it. Wherever possible, it needed to avoid duplication, in terms of its discussions and the substance of its resolutions, with the work done by the Commission.

40. Thirdly, given that the Sub-Commission over a number of years had adopted many resolutions concerning, for example, the fight against racial discrimination, segregation and apartheid, the Sub-Commission needed to review which of those resolutions had been acted upon and which had not, issuing reminders to States found to be in violation of a particular Convention until such time as the terms of that Convention had been fully implemented. Without such measures, there was a danger that resolutions would be ignored by everybody except the Sub-Commission itself.

41. Fourthly, he noted that standards in international legal documents tended to be worded in general terms for the sake of greater flexibility, allowing States so wide a scope for interpretation that they were often able to avoid direct implementation altogether. It might therefore be appropriate for the Sub-Commission to put forward a more official interpretation of the international instruments, along the lines of the interpretation of the International Covenant on Civil and Political Rights drafted by Manfred Novak. Such an interpretation would define the legal requirements for a given standard, the legal context in which it was applicable, the sort of actions which would be considered violations, and the consequences envisaged for violations. It should also be possible for the Sub-Commission to decide how that work would be financed and the mandates of the different United Nations bodies in connection with that task, as well as appropriate methods of giving the interpretation adopted official status.

42. Mr. FAN Guoxiang said that the year 1995 was of great significance for the promotion of human rights and fundamental freedoms, since it marked the fiftieth anniversary of the victory of the anti-Fascist forces in the Second World War as well as the fiftieth anniversary of the United Nations. The victory won by the peoples of the world, from countries large and small and irrespective of race, religion, social system or level of economic development, had constituted a decisive triumph of peace-loving and democratic forces over evil, of light over darkness, and of progress over reaction. Upon that basis the United Nations had been founded.

43. The Charter of the United Nations and the Universal Declaration of Human Rights had represented a new development in the concept of human rights, the enjoyment of which had been totally denied to the overwhelming majority of human beings under the savage rule of slave- and serf-owners. The Universal Declaration of Human Rights had solemnly proclaimed that everyone was entitled to all the rights and freedoms set forth in it. In the history of Europe and of the Western world, human rights had formerly been viewed as the rights

of Europeans to win freedom from despotic feudal domination. During the Second World War the cruelty and fanaticism perpetrated by Fascist militarists and politicians, with their massacres of Westerners and non-Westerners, their enslavement of occupied nations and their repression of anybody found to be in their way, had opened the eyes of the world's population to the crucial importance of promoting human rights and fundamental freedoms for all without distinction not only as to race, colour, sex, language and religion, but also to political and other opinion, national or social origin, property, birth or other status.

44. Recently, many countries had commemorated the victory of peace and democracy over fascism. Among the leaders of States, some had condemned fascism and apologised for the sufferings which their country had brought to innumerable victims. It was therefore difficult to understand why the leaders of a certain country were reluctant to acknowledge, honestly and openly, the Fascist role which their country had played. Their ambiguous position could not but arouse suspicions among their neighbours and among many people in their own country.

45. A major event in the post-war period had been the emancipation of dependent nations and peoples from colonial rule. The extension of fundamental freedoms to the bulk of the world's population had ushered in a new era in the promotion of human rights, and the historic victory in the anti-Fascist war had resulted in an unprecedented realization of human rights in the struggle against fascism and colonialism.

46. Unfortunately, respect for, and the promotion of, human rights had become politicized during the "cold war", when everything had been appraised in the context of East-West confrontation. Mutual allegations and accusations had been made for the purpose of blaming opponents rather than serving the interests of human rights. That erroneous orientation could have been expected to cease with the end of East-West confrontation, but unfortunately that had not been the case. The human rights issue had been grossly distorted further.

47. In the first place, the universality of human rights was being misrepresented. Common article 1 of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights proclaimed that all peoples had the right to freely determine their political status and freely pursue their economic, social and cultural development. It was thus clear that all peoples were entitled to choose their own political, economic and social structure and that such a choice should be respected by outsiders, particularly by big Powers, which should not undermine the choice by imposing another political structure in the name of "human rights". In the variegated world of the late twentieth century it was inadmissible to assert that some political structures were inherently "autarchic" and "totalitarian" while other political systems were automatically regarded as "free and democratic". Individuals or groups working deliberately against the former, even when they committed crimes by whatever means they deemed necessary, were rewarded as "human rights activists", and as self-proclaimed "guardians of human rights" they were entitled to engage in conspiracies against the Governments which they opposed. As a result, they were to be exempted from punishment and protected by the

international community even when they lied unconscionably while calling themselves "prisoners of conscience". Some NGOs had gone very far in describing constitutional Governments as an "established political order", in praising a small number of persons acting against national security and public order as "prominent dissenters" and in asserting that law enforcement was "repressive legislation". It was a pity that such an approach was supported, and on many occasions advocated, by some Governments, which invented terms which did not exist in the International Bill of Human Rights and were reserved for so-called "non-democratic" countries and never used to address so-called "democratic" countries. An artificial classification of 185 members of the United Nations into "democratic" and "undemocratic" could not in any way promote fundamental freedoms; on the contrary it could only lead to "double standards".

48. The right to self-determination was also being distorted. According to General Assembly resolution 1514 (XV), it referred to the right of peoples subjected to alien subjugation, domination and exploitation. The key element was alien rule. Oppressed nations and peoples had a legal claim to self-determination in order to free themselves from colonial rule or foreign occupation, but that should not be twisted into a so-called "peoples' right to self-determination" in order to legitimize a "partial or total disruption of national unity and the territorial integrity of a country", just as State sovereignty could not be replaced by "popular sovereignty". Article 1, paragraph 3, Article 55, subparagraph C, and Article 56 of the Charter of the United Nations had set forth the proper principle in addressing the issues pertaining to human rights in the framework of the United Nations. The attempt to raise the status of the human rights issue to a level on a par with the maintenance of international peace and security and economic development, or to take human rights issues as the supreme criterion of truth did not increase the value of human rights but detracted from and even invalidated United Nations human rights instruments. The implementation of Articles 55 and 56 of the Charter should in no way diminish or deny the basic principles of international law set forth in Article 2 of the Charter. The principles of sovereignty and territorial integrity of States were the very basis of the United Nations. If Article 2 and Articles 55 and 56 had to be taken together, the result would be a gradual fading-away and negation of State sovereignty and an artificial sparkling of human rights in a short flash of transient glitter. The omnipresence and omnipotence of human rights would spoil their credibility. It was the Sub-Commission's duty to ensure that human rights were protected authentically.

49. The Charter of the United Nations emphasized international cooperation in matters concerning the promotion of human rights and fundamental freedoms. Unfortunately, the replacement of cooperation by confrontation was detrimental to the work of promoting fundamental human rights and distorted, for political purposes, their authentic social and moral value. The establishment of a linkage between human rights issues and economic assistance, foreign trade, the origin of refugees, a multiparty system, the privatization of enterprises and relations among nations would inevitably distort the implementation of the International Bill of Human Rights. Likes and dislikes would become a pragmatic standard, and the sublimity of human rights would be relinquished in favour of political manoeuvring. States and Governments whose arms were to be

twisted would be described as having "a bad human rights record". In short, human rights would have been turned into tools for exerting political pressure.

50. Strong reactions to the wilful politicization of human rights issues had been expressed both before and after the World Conference on Human Rights held in Vienna. People cast doubt on any unilateral interpretation of human rights and wished to re-examine a large number of questions. Scholars in Asia had made a number of valuable suggestions concerning the very concept of human rights. An absolute individualism, an unlimited personal freedom and an over-emphasis on human rights to be enjoyed by individual persons would undermine the groundwork on which a modern society rested. The rights of the human community and of a nation should prevail. Relations between rulers and ruled should be appropriately resolved. While benefiting from rights, each citizen of a country was bound to fulfil certain obligations to society. Both democracy and discipline were indispensable. The freedom of the mass media could not undermine the assurance of public order and national security. A balance had to be struck among the social pillars represented by economic development, political stability and democratic legality. A more developed and more stable nation had a more solid foundation on which to promote human rights, whereas poverty plus ultra-liberalism would lead to chaos.

51. A number of respectable experts from the same region were critical of the misconduct of some politicians of a big Power. The punishment of hooliganism according to law had provoked a so-called "legitimate concern" for the "human rights of its citizens" by top-level leaders of a super-Power. However, that super-Power had not hesitated in abducting the President of a small country to a court in its mighty land for a "fair trial". Many Asian countries had openly expressed their opposition to the scrutinization of every Government and even of every Cabinet member in the region by a super-Power in the light of distorted standards of human rights. That was not a promotion of human rights but a return to the outdated idea that might was right. The principled implementation of the Charter of the United Nations and the Universal Declaration of Human Rights would certainly make a positive contribution to economic development, political and social stability, and public happiness, but the distortion of human rights issues would become a destabilizing factor. The concept of human rights was closely associated with the historical and cultural background, social structure and economic development of different nations, different regions and different epochs. Not only Christian but also Buddhist, Islamic, Confucian and other civilizations were contributing to a universal respect for human rights and fundamental freedoms.

52. Thus, in commemorating the fiftieth anniversary of the victory in the anti-Fascist war, it was imperative to keep in mind the major characteristics in the development of basic human rights. The traditional democratic right to be free from the despotism and ignorance of the Middle Ages had been supplemented, after the anti-Fascist war, by more comprehensive human rights that were available to all citizens, rich and poor, irrespective of their political or other opinion or national or social origin, including slaves, indigenous populations and national minorities. The extension of human rights to former colonies, semi-colonies and newly independent nations had been another major step forward following the victory of democratic forces over fascism and colonial rule. The misrepresentation of human rights through

politicization and double standards and through deviations from the original principles set forth in the Charter of the United Nations and the International Bill of Human Rights should be redressed so as to pave the way for a more serious and fruitful study by the Sub-Commission of how to promote human rights and fundamental freedoms in a more rational and equitable perspective.

53. Mr. CHERNICHENKO said that he wished to make a few comments on human rights in the Russian Federation. He was concerned not so much about Chechnya, which was under review in the Commission on Human Rights and where military action had ceased and agreements had been reached, as about the situation in the Russian Federation as a whole, where all social and economic rights appeared to have been lost. He was in no way expressing nostalgia for the previous regime, but he could not help noting the destructive effects of inflation and the unsuccessful attempts of the authorities to convince the public that it was abating. Production was falling, and economic and social rights would not improve until it increased. However, that was unlikely to happen as long as the present mistaken tax policies remained in place. Also, the tremendous increase in the crime rate was still continuing, with Russian mafias being frequently mentioned in the media. Also frightening was the threat to freedom of expression and freedom of the press. A number of well-known journalists had been murdered, and the Public Prosecutor's Office, acting on its own initiative, had recently initiated proceedings against a television programme called "Dolls" which, as in similar programmes in the West, caricatured leading politicians. It was all very sad. The old Russian disease was still there: leaders were in favour of the strict application of the law, but to others and not to themselves. As he had stated at a recent UNESCO meeting in Moscow, Russian society had still not accepted democracy: there were too few honest businessmen, and people voted for leaders whom they happened to like rather than for principles. The Constitution declared the Russian Federation to be a State based on the rule of law, but that was perhaps wishful thinking. Some people might claim that the very fact that he was speaking his mind before the Sub-Commission showed that he was free. He was certainly not afraid to return to Moscow, but he could not help expressing his fears.

54. Another source of concern was the situation of Russian-speakers in Latvia and Estonia. In Latvia there had recently been some positive trends in human rights matters, but there should be no excessive euphoria. Although the legal provisions governing citizenship had been amended, they were still discriminatory. Naturalization quotas had been removed, but the naturalization rate had not increased. The naturalization process took a number of years, and some Russian-speakers would never obtain Latvian citizenship. Moreover, the Latvian authorities failed to observe their own laws. Latvian law recognized the right of association, but the registration of a number of associations formed by Russian-speakers had been rejected. Only recently a Russian citizen had burnt himself to death in Latvia because the authorities had rejected his application for a residence permit.

55. In Estonia the situation was even worse. The new nationality law was even more rigid than the previous one. The relaying of Russian television had been stopped, and the Orthodox Church was being harassed.

56. In response to criticism, representatives of Latvia and Estonia had claimed that a political campaign was being waged against them in the Russian Federation. If that were so, it should be asked why Lithuania was not involved as well. Lithuania was historically linked to Latvia and Estonia and, like them, had a Russian-speaking minority, although on a smaller scale. All Russian-speakers in Lithuania had obtained citizenship, and the question arose as to why the same solution could not be adopted in Latvia and Estonia. The explanation probably was that the authorities of those two countries were trying to squeeze Russian-speakers out.

57. It was important that the 35 million Kurds distributed among a number of different countries should maintain their way of life and have the right to self-determination, although that right did not include the right to form a separate State.

58. Recent years had seen new outbreaks of human rights violations in the world and the politicization of inter-State cooperation in human rights matters. While the Sub-Commission might not be able to remove the causes, it should be able to identify them. He welcomed the fact that agenda item 6 was now the first item to be considered and he hoped to see that arrangement continued. However, he also hoped that the Sub-Commission could discuss ways and means of improving human rights procedures, which seemed to have been receiving less attention than in the past.

59. Mr. EIDE said that he wished to address six issues, namely, the procedure used, cases presented for action, the categorization of phenomena or events, the nature of violations committed, the contexts in which such violations had been committed, and possible responses by the Sub-Commission.

60. The Sub-Commission had tried during the current session to experiment with a new procedure. The basic idea had been a good one, namely, to begin, as early as possible, with cases alleged to amount to gross violations by first listening to the information presented by NGOs, then the replies by Governments. Finally the Sub-Commission members could make their own assessment and reflect on what could be done so that the United Nations could deal with the issues raised.

61. The cases presented for action had given rise to a feeling of impending tragedy, even of complete failure of the United Nations mission in the field of human rights. That was understandable in the light of the horrors of Rwanda and Bosnia. There had nevertheless been many positive developments. Most countries of Latin America, which had been at the forefront of the Sub-Commission's attention a decade earlier, had regained their democratic system, undoubtedly helped by the concern expressed within the human rights bodies of the United Nations. South Africa had been a tremendous achievement; Namibia, even Mozambique, and possibly also Angola were moving out of the spirals of violence. In Northern Ireland, the parties had declared an end to violence and the Governments of the United Kingdom and the Republic of Ireland had established a framework for a new agreement which might bring a much more constructive accommodation of the two major groups living in that conflict-ridden territory. Notwithstanding many difficulties, violence had

not erupted in the multicultural societies of Romania, Slovakia or the Baltic States. That was in part due to constructive involvement by international agencies. In several Asian countries such as Malaysia, constructive accommodation had been achieved within a framework of democracy.

62. What was required was proper analysis of the difficult situations and a search for adequate responses. Non-governmental organizations which were truly devoted to human rights for all could be of great assistance, by exploring ways in which not only the political systems but the underlying political culture could be transformed in such a way that all groups could find their common home within the boundaries of States on a basis of equality and mutual respect. That involved not only government behaviour but the political culture of all groups, including the security forces and opposition groups. The case of Bosnia should suffice to show that human rights violations were committed not only by Governments but in many cases by militant opposition groups such as the militant Bosnian Serbs.

63. Some of the cases which had been referred to the Sub-Commission included, apart from the case of Bosnia, Chechnya and the resurgence of racist behaviour in several West European States and the United States. In Asia the situation in East Timor, in Tibet, Kashmir, Iran, Iraq and Viet Nam had been brought up by non-governmental organizations as well as the tragic eruption of violence in Sri Lanka following the courageous efforts by the new Government of that country to extend its hand in friendship to the Tamil population. In Africa and the Middle East, the very serious case of Sudan had been given attention, as had the human rights violations in the context of unfolding Israel/Palestine relations, and the problems of human rights in areas inhabited by Kurds in Iraq and Turkey. Serious concern had been expressed also about the political developments in Nigeria. In Latin America, the particular problems of Guatemala, Colombia and Peru had been given primary attention. Some of those cases would require the continuing serious attention of the Sub-Commission, when reflecting on what could be done by the United Nations about them. The Sub-Commission must analyse what kind of phenomena it was dealing with, the nature of the violations committed and the context in which they occurred.

64. In earlier years the Sub-Commission had been faced with numerous authoritarian regimes which had prevented normal political participation and used repressive means to prevent opposition. Many, but not all, such regimes had gone. New problems had however come in their wake and those fell into four types of situations.

65. The first, and most obvious, were ethnic conflicts or more precisely, situations in multicultural or multi-ethnic societies which were exploited by ethnic-conflict entrepreneurs, whether originally on the Government's side, as in the case of Rwanda, or on the minority's side, such as the case of the Bosnian Serbs. In cases such as that of Sri Lanka, the origin of the conflict might have been discrimination against the minority in terms of language policy and in other ways but the subsequent exploitation of the dissatisfaction by extreme militant groups, such as those of the Tamil Tigers had made it impossible even with the best of will, even for democratically minded Governments such as the one elected in Sri Lanka in 1994, to achieve a peaceful and constructive accommodation with the militant minority.

66. The primary concern of the United Nations should be to prevent the aggressors from being rewarded for their violence and to prevent similar minded conflict entrepreneurs in other societies from generating the same kind of hatred, xenophobia and intolerance as had been reflected in the massive ethnic cleansing and genocidal actions in Bosnia. In that endeavour, the Sub-Commission must work closely with other United Nations bodies, including CERD; the upcoming joint meeting between those two bodies and the forthcoming world conference should be used to address those issues.

67. A second, and equally important case, was the exploitation of religion for purposes of violence and repression. As had been pointed out by Mr. Lindren Alves, the notion of fundamentalism was a misnomer; what was at stake was the exploitation of religion, comparable to the exploitation of ethnicity, for the purpose of political gain. Europe had experienced such problems over many centuries in the past, with various versions of Christianity exploited for purposes of hatred and conflict; at present, those problems were particularly severe in northern Africa and eastward in parts of Asia, including Afghanistan and Tajikistan. The need to find constructive accommodation of different groups, both adherents of different faiths and of those who were more secular minded, was essential in the quest for human rights.

68. The third type was represented by situations generated by long periods of violence and counter-violence in societies such as Colombia and Guatemala, where the Government might be seeking to move towards the rule of law but where significant sections of the security forces were unwilling to respect the principles of law and order and where in return there were violent opposition groups who committed their own violations. Such Governments should be assisted in finding ways in which the security forces could be brought under democratic control, through appropriate education and socialization, while simultaneously the opposition movements should isolate their militant elements and move towards a peaceful, democratic process of social transformation within their State.

69. The fourth category comprised situations where there remained an unwillingness to permit broad, pluralistic political participation. In some cases there had been elections and then a refusal to accept the outcomes, as in the case of Myanmar or Nigeria. In such cases there might be a need for much deeper preparation for the transition to full democracy. Elections did not solve the problems when the political culture for pluralism was not yet in place; human rights awareness by broad sections of society would be required and it took time to bring that about. The United Nations and its various agencies could help. Much more was required than snap elections in unprepared societies. In that connection he agreed that respect for economic, social and cultural rights must form part of the solution.

70. The fourth point concerned the nature of violations committed. In the past, the Sub-Commission had been concerned with activities carried out by Governments for purposes of repression of dissent and opposition, such as arbitrary arrest, torture, extra-legal execution and enforced disappearances. The United Nations had developed appropriate mechanisms for such violations, including thematic rapporteurs and working groups. What had been added to the list however were much more brutal phenomena such as ethnic cleansing,

large-scale rape, brutal murder of children and indiscriminate killing of the civilian population, amounting in some cases to genocide. Such blatant violations of the most basic rules of civilization had again shocked the conscience of mankind as it had before and during the Second World War. The shock however had not yet been strong enough for the international community to take resolute action. Indecision and uncertainty, including a preference for appeasement rather than action, had again characterized the response to such horrors as those taking place in Bosnia.

71. The contexts in which violations of human rights were committed included situations where there had been an interrupted process of decolonization, such as the situation in East Timor, where its people were prevented from exercising their right to self-determination by the intervention of armed forces from the outside. In other situations, the context of the violence arose during the unprepared transition to democracy, such as in Rwanda, Burundi and in several parts of the former Soviet Union.

72. A factor giving special reason for concern was the role played by the United Nations peace-keeping forces in territories where there was no peace to be kept. The ambiguities, the false promises and the despair which arose when the promises were broken, needed to be seriously discussed with a view to preventing such situations in the future. The introduction of the notion of safe areas, to which refugees flooded in the belief that there was at least one place where they could find protection, and then complete capitulation when the areas were overrun by murderous militant groups, represented such a serious setback to the whole human rights mission of the United Nations that it was essential to protest and demand that such a situation must never be allowed to occur again. Nor could it be accepted, after the painful efforts to build a legal order on the basis of the Charter of the United Nations, that aggression was allowed to be rewarded by allocating land to those who had taken it by force, killed the previous inhabitants or, at best, chased them away.

73. The Sub-Commission must also reflect on new approaches to its handling of the cases presented. Evidence and documentation were essential. In addition to what was available to the Sub-Commission from NGOs and replies, if any, by the Governments concerned, the members should have available additional information, such as the findings relating to the country concerned of the thematic rapporteurs and the Working Group on Disappearances; the observations and recommendations of the relevant country rapporteur, if any; and the observations and recommendations of the treaty bodies. On the basis of such material, the Sub-Commission should choose between different lines of action which might include non-action in cases where it was felt that the case did not reveal serious violations or when it was felt that other bodies were already dealing with the issue in an appropriate way. The second possibility would be to draw the attention of the High Commissioner of Human Rights to cases where available documentation provided an early warning that serious violations might occur in the future. In such cases it might be hoped that the High Commissioner might enter into a dialogue with the Government concerned and offer assistance in remedying the situation. When the case appeared to be serious, however, the Sub-Commission might recommend to the Commission that the Government be asked to invite the thematic rapporteurs and the Working Group on Disappearances to clarify the situation. When the

thematic rapporteurs had been invited and had concluded that significant steps had to be taken to remedy the situation, the Sub-Commission might recommend that the Commission should call on the Government concerned to invite a special representative, not to be regarded as a sanction but as a help, to give advice on how to overcome the difficulties faced by the Government in ensuring human rights for all, including the necessary steps to ensure proper administration of justice and the elimination of all forms of misconduct by security and paramilitary forces.

74. When, in situations where gross and systematic violations appeared to be taking place and the facts had been corroborated by the thematic rapporteurs, the Government concerned refused to cooperate with the United Nations, then and only then should it be recommended to the Commission to establish a country rapporteur.

75. When a country rapporteur had been appointed and had revealed gross and systematic violations by the country concerned, particularly when those amounted to genocide, as in the cases of Rwanda and Bosnia, the matter had reached the level where action had to be taken by the Security Council and the General Assembly. In such cases the Sub-Commission might want to recommend, through the Commission, what steps it considered necessary to bring the massive violations to an end, as it had sought to do and should continue to do in the cases of Rwanda and Bosnia. The Sub-Commission might also want to support the further development of the International Tribunal, by seeking to make it permanent and to reflect on ways in which its efficiency could be improved.

76. Thematically, the Sub-Commission might want to reflect further on what measures had to be taken in order to obtain greater respect for minimum humanitarian standards in times of tension and disturbances and particularly in times of internal armed conflict. In particular, the need to protect the civilian population, and above all women and children, must be given serious attention in the light of the barbarous methods which continued to be used.

77. Mrs. WARZAZI said that the task of the Sub-Commission in the past, which had seemed so difficult at the time, had been child's play compared with the situation in the present-day world.

78. There had undoubtedly been some progress during the current year. In June and July, the rebel forces in Guatemala, during negotiations with the Government, had announced that the peace process in Guatemala was irreversible. The different Timorese political groups had met near Vienna under the auspices of the United Nations and had adopted, by consensus, a joint declaration which had stressed respect for human rights in Timor and for the preservation of the cultural identity of the region. The liberation of Aung San Suu Kyi was a significant gesture by the Government of Myanmar and represented a ray of hope for the Burmese people. The laboriously negotiated amendments to the Turkish Constitution by Parliament would certainly lead to positive results.

79. That progress, however, could not hide the deep disillusionment of the world at the situation a few years after the disappearance of the Berlin Wall. Qualified observers had identified 20 ideological and fundamentalist guerrilla

groups as well as 50 major ethnic conflicts, 70 States threatened by political destabilization, 8 drug- and terrorist-related conflicts and 30 major border disputes.

80. What was involved was no longer a case of the State against the individual but of violations of human rights by States as well as by opposition groups which had chosen recourse to arms instead of dialogue, of atrocities against innocent populations by fanatical religious or ethnic groups often supported from the outside as well as by terrorist groups greedy for power or anxious to maintain their prosperous traffic in drugs and arms.

81. The Sub-Commission should be seriously concerned at the unprecedented wave of hatred and massacres and the refusal to end conflicts by means of dialogue, in many cases encouraged or even initiated by self-styled religious leaders. The priests, mullahs, emirs, rabbis and representatives of religions had found equally dangerous allies in the media which frequently manipulated public opinion by means of political, nationalist, ethnic or religious propaganda.

82. The Mille Collines radio station had sparked off the massacres and genocides in Rwanda and had apparently won popularity in Burundi. But the media that preached hatred were by no means confined to Africa. A media war had in effect preceded the real war in the former Yugoslavia. In other countries, campaigns against minorities and intellectuals were launched by newspapers known for their extreme ultra-nationalist or religious fanaticism. All those conflicts were music in the ears of the arms dealers and traders who had no interest in lessening tensions and confrontations. In consequence, notwithstanding praiseworthy declarations, the sale of arms to the developing countries was flourishing, with no regard being paid to the disastrous consequences for the peoples condemned to ever-worsening poverty.

83. Following the tardy intervention by the International Community in 1994 there had been the semblance of a return to relative calm in Rwanda. Nevertheless, in coming to the aid of the Tutsi victims of genocide, the international community could not guarantee ethnic peace in the country. That had been her fear and she had noted without surprise although with some concern that, in his letter of resignation, the Director of the Cabinet Office of the Prime Minister had stated that the policy of the Rwandese Patriotic Front was based on the domination of one ethnic group over another and had referred to a deterioration of the situation accompanied by summary executions, torture, arbitrary arrests, the paralysis of the judicial system, as well as double-talk regarding the problems of refugees and the repression of the free press. The Sub-Commission could not accept such a situation and should request an inquiry into the matter.

84. It was important to bear in mind that the situation in Bosnia affected Europeans in the heart of Europe who were prohibited from defending themselves against Serb aggression solely because they were Muslims. Their circumstances might force them into extremism if the situation persisted.

85. From the beginning of the conflict, the politicians of certain European States had believed or continued to believe that the only way of preserving a balance of power in the Balkans would be the partition of Bosnia between

Croatia and Serbia. That plan would solely penalize Bosnia with its Muslim population which had hitherto lived in peace with its neighbours. The lifting of the arms embargo would, however, have undermined that plan. That determination to deprive Bosnia of its legitimate right to self-defence, a right recognized in the Charter, constituted a serious attack on one of the most elementary human rights, namely, the right to life. The Bosnian tragedy affected the entire world in that it threatened the whole concept and principle of human rights.

86. The United Nations had lost its credibility when its mission of humanitarian assistance in Bosnia ended in protecting its peace-keeping forces, preventing the lifting of the arms embargo and staying in Bosnia until the Bosnians bowed down to Serb demands.

87. It was regrettable that the United Nations which had merely implemented the decisions taken by a certain number of States had become a scapegoat and that its magnificent contribution of the years, particularly in the field of human rights might well be forgotten. Human rights were increasingly threatened at a time when so much progress had already been made in the codification of humanitarian law and its acceptance by an increasing number of States. Armed conflicts, excessive nationalism, racist xenophobia, religious fanaticism, terrorism in all its forms, ethnic hatred and the complicity of members of the media were phenomena which must be added to the long list of forms of serious human rights violations for which a solution must be found.

88. In conclusion, she wished to congratulate Mr. Eide on his recommendations. The Sub-Commission must never abandon the struggle and must always remember the tragic fate of Bosnia.

The meeting rose at 1 p.m.